



UNITED STATES DEPARTMENT OF COMMERCE  
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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/393,590 09/09/99 MOYER E 00211-US-NEW

021835 0212/0928  
ELAN PHARMACEUTICALS, INC.  
LEGAL DEPARTMENT PATENTS  
800 GATEWAY BOULEVARD  
SOUTH SAN FRANCISCO CA 94080

SL NOT ASSIGNED

1646  
DATE MAILED: 09/28/99

**NOTICE TO FILE MISSING PARTS OF APPLICATION**  
**Filing Date Granted**

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 130.

- ☐ 1. The statutory basic filing fee is:  
☐ missing.  
☐ insufficient.  
Applicant must submit \$ \_\_\_\_\_ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

- ☐ 2. The following additional claims fees are due:  
\$ \_\_\_\_\_ for \_\_\_\_\_ total claims over 20.  
\$ \_\_\_\_\_ for \_\_\_\_\_ independent claims over 3.  
\$ \_\_\_\_\_ for multiple dependent claim surcharge.  
Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:  
☒ is missing or unsigned.  
☐ does not cover the newly submitted items.  
An oath or declaration, in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date, is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.  
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).  
☐ 7. Your filing receipt was mailed in error because your check was returned without payment.  
☐ 8. The application was filed in a language other than English.  
Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER: \_\_\_\_\_

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

11/04/1999 TL0011 00000098 012707 09393590  
01C:105 130.00 CH

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*see K11*

In re Application of:

MOYER, Elizabeth, et al.

Application No.: 09/393,590

Filed: 09/09/99

For: STABLE LIQUID FORMULATIONS OF BOTULINUM TOXIN



Group No.: 1646

Examiner: Not yet assigned

Certificate of Mailing (37 C.F.R. § 1.8(a))

I hereby certify that, on the date shown below, this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Box Missing Parts, Assistant Commissioner for Patents, Washington, D.C., 20231.

Date: 10/28/99

By: Franklin V. [Signature]

Assistant Commissioner for Patents  
Washington, D.C. 20231

TRANSMITTAL -- NEWLY EXECUTED DECLARATION

Dear Sir:

Transmittal herewith is:

- ✓ Signed Declaration
- ✓ Copy of Form PTO-1533
- ✓ Postcard

Payment of Surcharge

The Commissioner is hereby authorized to charge a Surcharge of \$130.00 as set forth in 37 CFR 1.16(e) for a non-small entity to Deposit Account No. 01-2707. A duplicate of this paper is enclosed.

Respectfully submitted,

[Signature]  
SIGNATURE OF PRACTITIONER

Date: 10/28/99

Reg. No. 34444

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Carol A. Stratford

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